

REMARKS

Applicant thanks the Examiner for acknowledging that claims 2-7 contain allowable subject matter. It appears the Examiner has erroneously identified claim 3 as allowable since it is later identified as being rejected under 35 U.S.C. § 103. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 3 and 11 are cancelled. Claims 1, 2, 4-7, 13 and 15 are currently being amended. Claim 16 is being added as a new claim. Support for new claim 16 can be found at least on pages 21-60 of the application as filed. No new matter has been added.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 2, 4-10 and 12-16 are now pending in this application.

Statement of Substance of the Interview

In accordance to 37 C.F.R. § 1.133, submitted herewith is a record of the substance of the interview on September 26, 2008, with Examiner Doan, regarding the above-captioned application. It is submitted that the Interview Summary (a copy of which is attached) provides a complete and proper recordation of the substance of the interview, per MPEP §713.04. This statement is being submitted with this formal written reply to the last office action and is therefore a timely response.

Supplemental Application Data Sheet

Applicant respectfully request to correct the Application Data Sheet in connection with the above-identified application. A Supplemental Application Data Sheet is attached herewith in order to correct the assignee name and to correct the initial date at the bottom of each page to read: --Initial 06/23/06--.

Amendments to the Specification

Applicant has amended the title to read “RADIO CONTROLLED CLOCK TIMEPIECE, ELECTRONIC DEVICE AND TIME CORRECTION METHOD.”

Claim Rejections under 35 U.S.C. § 112

Claims 1-15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action asserts that the phrase “second-synchronization” is unclear since there is no indication of a first-synchronization. Applicant respectfully disagrees.

The claim term “second-synchronization detecting unit,” specifically the word “second” refers to a unit of time (e.g., there are sixty seconds in one minute). The word “second” does not imply that there is more than one “synchronization detecting unit.” Applicant refers the Examiner to paragraphs [0090] – [0094] of the specification for further clarification. Accordingly, Applicant requests that the rejection be withdrawn and claims 1-10 and 12-15 be allowed.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 3, 8-13 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,728,533 (“Ishii”) in view of U.S. Patent No. 6,192,007 (“Aoshima.”). Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Aoshima and further in view of U.S. Patent No. 6,223,050 (“Roberts”). In response, without agreeing or acquiescing to the rejection, Applicant has cancelled claims 3 and 11 and amended independent claim 1 to include limitations similar to those of allowable claims 4 and 5, and amended independent claim 15 to include limitations corresponding to those in allowable claims 6 and 7. Thus, Applicant respectfully requests that the rejection be withdrawn and independent claims 1 and 15 be allowed.

Further, Applicant respectfully traverses the rejection for the reasons set forth below. Applicant relies on MPEP § 2143.03, which requires that all words in a claim must be considered in judging the patentability of that claim against the prior art. Here, the cited

references do not identically disclose, teach or suggest all the claim limitations. *See In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Independent claim 15 is directed to a “time correction method” comprising, in addition to other elements/steps, “a second-synchronization detecting step of detecting second-synchronization information from a demodulated signal obtained at the receiving step, ***wherein the second-synchronization detecting step includes: a sampling step of detecting features of the demodulated signal; and an adding step of adding up a number of times of detection of the features of the demodulated signal.***” (emphasis added). New independent claim 16 recites similar limitations.

To cure the deficiencies of Ishii, the Office Action relies on Aoshima. The Office Action asserts that Aoshima discloses “a second-synchronization detecting unit configured to detect second-synchronization information from a demodulated signal obtained by the receiving unit.” Aoshima discloses a synchronization signal detection section 3. *See* Fig. 1. However, Aoshima fails to disclose, teach or suggest “a sampling step of detecting features of the demodulated signal; and an adding step of adding up a number of times of detection of the features of the demodulated signal” as claimed in claim 25.

When determining whether a claim is obvious, an examiner must make “a searching comparison of the claimed invention – *including all its limitations* – with the teaching of the prior art.” *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995) (emphasis added). Thus, “obviousness requires a suggestion of all limitations in a claim.” *CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) (*citing In re Royka*, 490 F.2d 981, 985 (CCPA 1974)). Here, the cited references fail to disclose each and every limitation in as complete detail as is contained in amended independent claim 15 and new claim 16.

Claims 2, 4-10 and 12-14 depend from one of independent claims 1 or 16 and should be allowed for the reasons set forth above without regard to further patentable limitations contained therein.

If this rejection of the claims is maintained, the examiner is respectfully requested to point out where the above-mentioned features are disclosed in the cited references.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By Walter K. Robinson

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

Glenn Law
Attorney for Applicant
Registration No. 34,371

Walter K. Robinson
Attorney for Applicant
Registration No. 59,396